

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	
	)	Case No. CR02-338-TSZ
Plaintiff,	)	
	)	
v.	)	SUMMARY REPORT OF U.S.
	)	MAGISTRATE JUDGE AS TO
GERMAIN MARCEL MADDEN,	)	ALLEGED VIOLATIONS
	)	OF SUPERVISED RELEASE
Defendant.	)	
_____	)	

An initial hearing on a petition for supplemental violations of supervised release in this case was scheduled before the undersigned Magistrate Judge on April 2, 2008. The United States was represented by Assistant United States Attorney Kelly Harris, and the defendant by Mr. Walter Palmer. The proceedings were digitally recorded.

The defendant had been charged and convicted of Distribution of Cocaine Base and on or about April 22, 2003, was sentenced by the Honorable Barbara J. Rothstein to seventy-two 72 months in custody, to be followed by 5 years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, defendant not possess a firearm, submit to mandatory drug testing, participate in a substance abuse program, abstain from alcohol, submit to search, provide financial information to his probation officer, and not associate with any known gang members and Residential Reentry Center placement 180 days.

SUMMARY REPORT OF U.S. MAGISTRATE  
JUDGE AS TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
PAGE 1

01 On January 8, 2007 defendant admitted violating the conditions of supervised release.  
02 The case was transferred to the Honorable Thomas S. Zilly. Defendant was sentenced to 39  
03 days with credit for time served in custody and 4 years supervised release.

04 On March 10, 2008, an initial hearing on violation 1 of the conditions of supervised  
05 release was held before the Honorable Mary Alice Theiler. Defendant admitted using  
06 phencyclidine (PCP) on or before February 19, 2008, in violation of standard condition No. 7.  
07 (Dkt. No. 42)

08 In a Petition for Warrant or Summons dated March 20, 2008, U.S. Probation Officer  
09 Brian Johnson alleged the following supplemental violations by defendant of the conditions of  
10 his supervised release:

- 11 (2) Associating with Vincent Lee Bradley, a person engaged in criminal activity, on  
12 or about February 7, 2008, without the permission of the probation officer, in  
13 violation of standard condition No. 9.
- 14 (3) Failing to notify the probation officer within 72 hours of his February 7, 2008,  
15 questioning by a law enforcement officer, in violation of standard condition No.  
16 11.
- 17 (4) Associating with a known gang member (Vincent Lee Bradley), on or about  
18 February 7, 2008, in violation of special condition that he not associate with  
19 any known gang member.


20 Defendant was advised of the supplemental allegations and of his rights. Defendant  
21 denied violation 2 but admitted to violations 3 and 4.

22 I therefore recommend that the Court find the defendant to have violated the terms and  
23 conditions of his supervised release as to violations, 3 and 4, and recommend the Court  
24 conduct an evidentiary hearing on alleged violation 2, combined with a disposition hearing on  
25 admitted violations 3 and 4. An evidentiary hearing on violation 2 and a disposition hearing on  
26 violations 1, 3 and 4 have been set before the Honorable Thomas S. Zilly on April 17, 2008 at

01 1:30 p.m.

02 Pending a final determination by the Court, the defendant has been detained.

03 DATED this 3rd day of April, 2008.

04   
05 JAMES P. DONOHUE  
06 United States Magistrate Judge  
07

08  
09 cc: District Judge: Honorable Thomas S. Zilly  
10 AUSA: Mr. Kelly Harris  
11 Defendant's attorney: Mr. Walter Palmer  
12 Probation officer: Mr. Brian Johnson  
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